

1 ROSE F. LUZON (SBN 221544)
2 SHEPHERD, FINKELMAN, MILLER &
3 SHAH, LLP
4 401 West A Street, Suite 2350
5 San Diego, CA 92101
6 Telephone: (619) 235-2416
7 Facsimile: (619) 234-7334
8 Email: rluzon@sfmslaw.com
9 (Additional Counsel Appear On Signature Page)

10 Attorneys for Plaintiff, Matthew Johnson,
11 Individually And On Behalf Of All Others Similarly
12 Situated

13 TROY A. VALDEZ, California State Bar No. 191478
14 VALDEZ NOOR TODD & DOYLE LLP
15 116 New Montgomery Street, Suite 210
16 San Francisco, CA 94105
17 Telephone: (415) 202.5950
18 Facsimile: (415) 202.5951
19 Email: tvaldez@vsn.law.com

20 FRED W. ALVAREZ, California State Bar No. 068115
21 ALLISON B. MOSER, California State Bar No. 223065
22 JONES DAY
23 Silicon Valley Office
24 1755 Embarcadero Road
25 Palo Alto, CA 94303
26 Telephone: (650) 739-3939
27 Facsimile: (650) 739-3900
28 Email: falvarez@jonesday.com

29 Attorneys For Defendants
30 COMCAST OF CALIFORNIA/COLORADO/WASHINGTON I, INC.

31 **IN THE UNITED STATES DISTRICT COURT
32 FOR THE NORTHERN DISTRICT OF CALIFORNIA**

33 MATTHEW JOHNSON, On Behalf Of Himself
34 And All Others Similarly Situated,

35 CIVIL ACTION NO. 3:10-CV-04147 JSW

36 Plaintiff,

37 **JOINT STATUS UPDATE OF RELATED
38 STATE COURT LITIGATION**

39 vs.

40 COMCAST OF CALIFORNIA/
41 COLORADO/WASHINGTON I, INC.

42 Defendant.

43 Courtroom: 11 – 19th Floor
44 Judge: Jeffrey S. White

1 Pursuant to this Court's January 6, 2011 Order granting Defendant Comcast of
 2 California/Colorado/Washington I, Inc.'s ("Comcast" or "Defendant") Motion to Stay, Plaintiff
 3 Matthew Johnson ("Plaintiff") and Comcast hereby submit the following Joint Status Update Regarding
 4 the Related State Court Litigation, which is based upon the representations of Defendant regarding the
 5 state court proceedings.

6 **STATUS OF STATE COURT LITIGATION**

7 The matter of *Fayerweather v. Comcast Corporation and Comcast of Contra Costa, Inc.*
 8 is still currently pending in the Superior Court of California in and for Contra Costa County as
 9 Case No. C-08-01470. On December 17, 2012, the *Fayerweather* Court issued an order
 10 decertifying the class, a copy of which was attached to the parties' previous Joint Status Update
 11 Regarding the Related State Court Litigation.

12 On February 8, 2013, Plaintiff/Appellant Gabriel Fayerweather filed a Notice of Appeal
 13 in Contra Costa Superior Court. Appellant filed its opening brief on August 13, 2013.
 14 Respondent Comcast Corporation and Comcast of Contra Costa has ninety (90) days from the
 15 date the Appellant's opening brief is filed to file the Respondents' brief.

16 Dated: October 14, 2013

SHEPHERD, FINKELMAN, MILLER &
 17 SHAH, LLP

18 /s/
 ROSE F. LUZON (SBN 221544)
 19 SHEPHERD, FINKELMAN, MILLER &
 SHAH, LLP
 20 401 West A Street, Suite 2350
 San Diego, CA 92101
 Telephone: (619) 235-2416
 Facsimile: (619) 234-7334
 Email: rluzon@sfmslaw.com

23 John F. Edgar
 24 EDGAR LAW FIRM LLC
 1032 Pennsylvania Ave.
 25 Kansas City, MO 64105
 Telephone: (816) 531-0033
 Facsimile: (816) 531-3322
 26 jfe@edgarlawfirm.com

1 James E. Miller (SBN 262553)
2 Karen M. Leser-Grenon (SBN 231189)
3 SHEPHERD, FINKELMAN, MILLER &
4 SHAH, LLP
5 65 Main Street
6 Chester, CT 06412
7 Telephone: (860) 526-1100
8 Facsimile: (860) 526-1120
9 jmiller@sfmslaw.com
10 kleser@sfmslaw.com

11 James C. Shah (SBN 260435)
12 SHEPHERD, FINKELMAN, MILLER &
13 SHAH, LLP
14 35 East State Street
15 Media, PA 19063
16 Telephone: (610) 891-9880
17 Facsimile: (610) 891-9883
18 jshah@sfmslaw.com

19 Attorneys for Plaintiff, Matthew Johnson
20 VALDEZ NOOR TODD & DOYLE LLP

21 /s/
22 TROY A. VALDEZ, State Bar No. 191478
23 VALDEZ NOOR TODD & DOYLE LLP
24 116 New Montgomery Street, Suite 210
25 San Francisco, CA 94105
26 Telephone: (415) 202-5950
27 Facsimile: (415) 202-5951
28 Email: tvaldez@vsnlaw.com

19 FRED W. ALVAREZ, State Bar No. 068115
20 ALLISON B. MOSER, State Bar No. 223065
21 JONES DAY
22 Silicon Valley Office
23 1755 Embarcadero Road
24 Palo Alto, CA 94303
25 Telephone: (650) 739-3939
26 Facsimile: (650) 739-3900
27 Email: falvarez@jonesday.com

28 Attorneys for Defendant
1 Comcast of California/Colorado/
2 Washington I, Inc.

1 **ATTESTATION PURSUANT TO GENERAL ORDER 45**

2 I, Allison B. Moser, am the ECF User whose identification and password are being used
3 to file the Joint Status Update of Related State Court Litigation. In compliance with General
4 Order 45.X.B., I hereby attest that each of the signatories above has concurred in this filing.

5 Dated: October 15, 2013

JONES DAY

6 By: /s/

7 Allison B. Moser
8 amoser@jonesday.com

9
10 Attorneys for Defendant
11 Comcast of California/Colorado/Washington
12 I, Inc.

13 SVI-133656v1